

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JUSTYNA MILLS,)	
)	
Plaintiff,)	Civil Action No. 20-566
)	
v.)	Judge Cathy Bissoon
)	Magistrate Judge Lisa Pupo Lenihan
ENDEAVOR AIR, INC., <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

This case has been referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On February 2, 2021, the Magistrate Judge issued a Report (Doc. 37) recommending that Defendant's Motion to Dismiss for Lack of Subject Matter Jurisdiction (Doc. 27) be granted in that all claims against Defendant Endeavor Air, Inc. are preempted by the Railway Labor Act, 45 U.S.C. § 151, *et seq.* Service of the Report and Recommendation ("R&R") was made on the parties, and Plaintiff has filed Objections and Defendant Endeavor Air, Inc. has filed a Response to those Objections. *See* Docs. 38 & 39.

After a *de novo* review of the pleadings and documents in the case, together with the Report and Recommendation and the Objections and Response thereto, the following Order is entered: Defendant's Motion to Dismiss (**Doc. 27**) is **GRANTED**, in that all claims against Defendant Endeavor Air, Inc. are preempted by the Railway Labor Act, 45 U.S.C. § 151, *et seq.*, and the R&R is adopted as the Opinion of the District Court. Counts V, VI, VII, and VIII against Defendant Endeavor Air, Inc. are **DISMISSED WITH PREJUDICE**.

IT IS SO ORDERED.

March 19, 2021

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):

All Counsel of Record